

#449
BILL NO. Z-90-10-08

ZONING MAP ORDINANCE NO. Z-10-90

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. P-6.

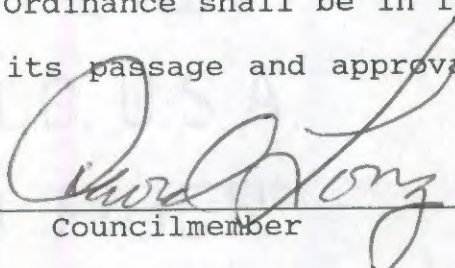
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated an M-1 (Light Industrial) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lot #123 and the East 16 2/3 feet of Lot #122 in
White's First Addition to the City of Fort Wayne,
Indiana,

and the symbols of the City of Fort Wayne Zoning Map No. P-
6, as established by Section 11 of Chapter 33 of the Code of
the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Long, seconded by Delmar, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 10-9-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Delmar, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>
<u>BRADBURY</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>EDMONDS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>GIAQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 11-13-90.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 2-10-90 on the 13th day of November, 1990

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reder
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1990, at the hour of 11:20 o'clock PM, E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of November, 1990, at the hour of 11:30 o'clock PM, E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

RECEIPT

No 7344

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 9/13 1990

RECEIVED FROM Adco Distrib. Co. \$ 100.00

THE SUM OF One Hundred & 00/100 DOLLARS

ON ACCOUNT OF 1975 E. Washington
Long East Street

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

Long
AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We AALCO Distributing Co., Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an M-1 District the property described as follows:

Lot #123 and the East 16 2/3 feet of Lot #122 in White's First Addition to

the City of Fort Wayne, Indiana.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

1925 East Washington Boulevard

Fort Wayne, IN 46803

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

AALCO Distributing Co., Inc.

909 Grant Avenue

By: _____

Fort Wayne, IN 46803

Nan Collias, President

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

A. W. Fruechtenicht

321 Metro Building

219/422-8414

(Name)

Fort Wayne, IN 46802

(Telephone Number)

(Address & Zip Code)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Lot #123 and the East 16 2/3 feet of Lot #122 in White's First Addition to
the City of Fort Wayne, Indiana.

Owners of Property

AALCO Distributing Co., Inc.	909 Grant Avenue	By: <u>Nan A Collias</u>
	Fort Wayne, IN 46803	Nan Collias, President
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE
This form is to be filed in duplicate.

NOTICE:
FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 9, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-90-10-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 15, 1990.


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 22, 1990.

Certified and signed this
24th day of October 1990.



Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment From R-3 to M-1		

DETAILS

Specific Location and/or Address 1925 E Washington B1
Reason for Project Future expansion of AALCO Distributing Company.
Discussion (Including relationship to other Council actions) <u>15 October 1990 - Public Hearing</u> <p>A W Fruchtenicht, attorney for the petitioners, AALCO Distributing Co., Inc., appeared before the Commission. Mr Fruchtenicht stated that this company is a beer and wine distributor and has been in business since 1949 and has been at its present location at the corner of East Washington and Grant Street since the early 1960's. He stated that it is locally owned and operated. He stated that they have run out of room and they must have additional warehousing space. He stated in the summer of 1988 they requested and received a rezoning on the east half of the property in question. He stated they did not at that time own the west half of the property. He stated the property was at that time owned by a 93 year old gentlemen who had agreed to sell to AALCO when he chose to move. He stated in 1988 after they received the original rezoning they tried to squeeze a warehouse on the property. However, they could not construct a building on the size of property they had that was adequate for their needs. He stated that since that time the gentlemen on the property in question</p>

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) AALCO Distributing Co., Inc. City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

has moved and AALCO has bought the property. He stated that if rezoned they hope to construct a warehouse facility on this property in the spring.

Mel Smith questioned how large of a building they would be constructing.

It was stated it would be approximately 10,000 to 15,000 square feet.

There was no one else who wished to speak in favor of or in opposition to the proposed rezoning.

22 October 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 12 September 1990

Projected Completion or Occupancy

Date 24 October 1990

Fact Sheet Prepared by

Patricia Biancaniello

Date 24 October 1990

Reviewed by

R. Maglio

Date 10-24-90

Reference or Case Number

#449

ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1925 E Washington Bl.

2-90-10-08

EFFECT OF PASSAGE Property is presently zoned R-3 - Multi Family
Residential. Property will become M-1 - Light Industrial District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-90-10-08

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON _____ REGULATIONS _____ TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) _____ amending the
City of Fort Wayne Zoning Map No. P-6

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<u>David C. Long</u>	_____	_____	_____
<u>Samuel J. Talarico</u>	_____	_____	_____
<u>Cletus R. Edmonds</u>	_____	_____	_____
<u>D. Schmidt</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 11-13-90

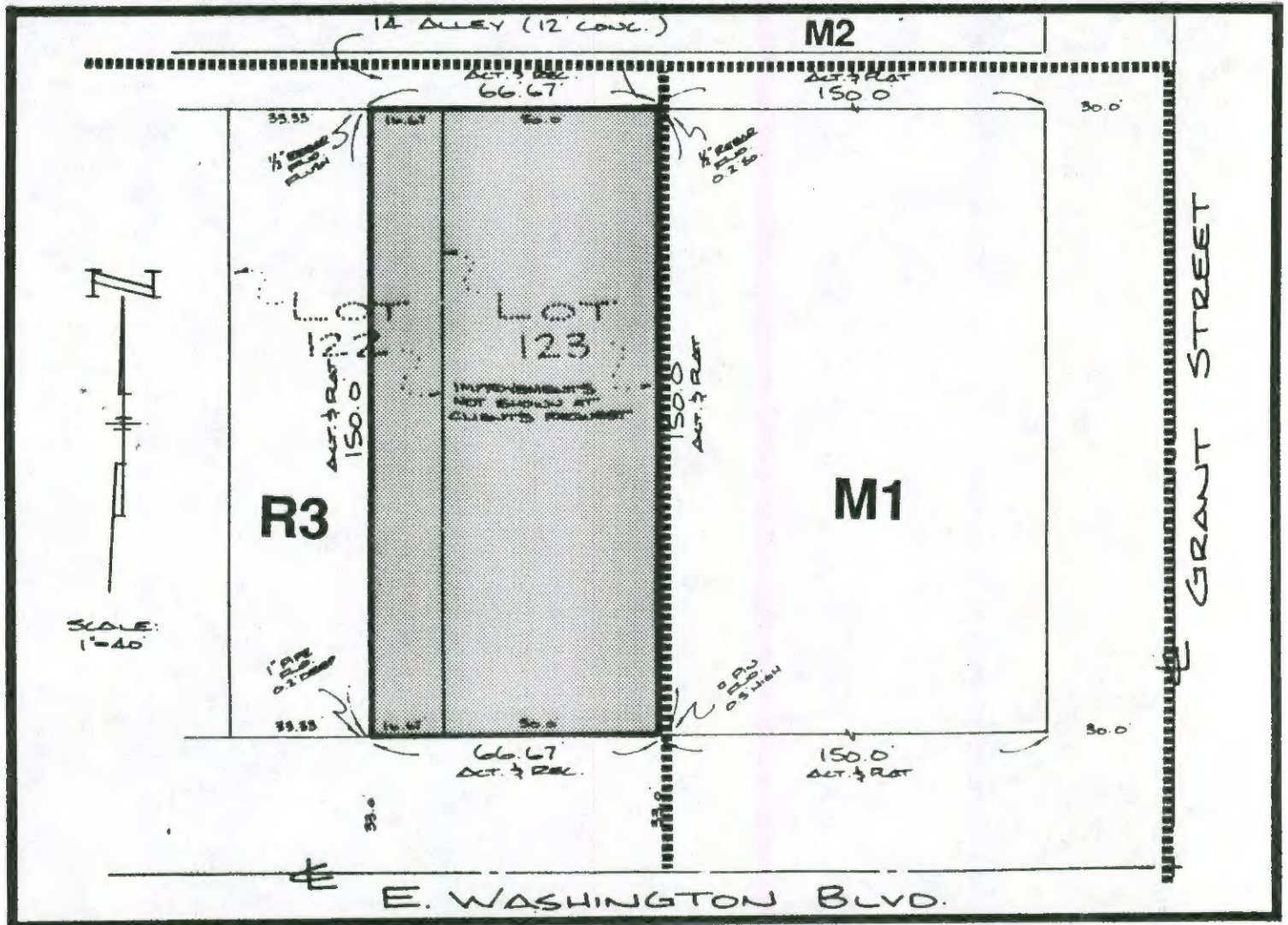
Sandra E. Kennedy
City Clerk

REZONING PETITION # 449

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R3 DISTRICT TO A M1 DISTRICT.

MAP NO. P-6

COUNCILMANIC DISTRICT NO. 1



ZONING:

R3 RESIDENTIAL DISTRICT

M1 LIGHT INDUSTRY

M2 GENERAL INDUSTRY

LAND USE:

☐ COMMERCIAL

SCALE: 1"=40'

LW

DATE: 9-24-90

